

UNITED STATES OF AMERICA  
UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
DIVISION

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KUSHAWN S. MILES,

Plaintiff,

Case No. 1:18-cv-352

v.

Honorable Paul L. Maloney

MICHIGAN DEPARTMENT OF  
CORRECTIONS et al.,

Defendants.

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**ORDER FOR SERVICE**

This is a prisoner civil rights action. By separate opinion and order, the Court has dismissed the claims against all defendants other than Defendants Michigan Department of Corrections (MDOC) and Leach. The Court has conducted an initial review of the remaining claims in the complaint pursuant to 28 U.S.C. § 1915(e), § 1915A and 42 U.S.C. § 1997e(c), to determine whether they are frivolous, malicious, fail to state a claim upon which relief can be granted or seek monetary relief against a defendant that is immune from such relief. Upon initial review, the Court concludes that the remaining claims are not subject to dismissal for any of the reasons listed above. Therefore:

**IT IS ORDERED** that the Clerk shall forward the complaint and attached exhibits to the U.S. Marshals Service, which is authorized to mail a request for waiver of service to Defendants MDOC and Leach in the manner prescribed by Fed. R. Civ. P. 4(d)(2). If waiver of service is unsuccessful, summons shall issue and be forwarded to the U.S. Marshals Service for service under 28 U.S.C. § 1915(d).

**IT IS FURTHER ORDERED** that Defendants MDOC and Leach shall file an appearance of counsel (individual Defendants may appear *pro se* if they do not have counsel) within 21 days of service or, in the case of a waiver of service, 60 days after the waiver of service was sent. Until so ordered by the Court, no Defendant is required to file an answer or motion in response to the complaint, and no default will be entered for failure to do so. *See* 42 U.S.C. § 1997e(g)(1). After a Defendant has filed an appearance, proceedings in this case will be governed by the Court's Standard Case Management Order in a Prisoner Civil Rights Case.

Dated: May 23, 2018

/s/ Paul L. Maloney  
Paul L. Maloney  
United States District Judge